

**PUBLIC MEETING
JANUARY 26, 2012
MINUTES**

The Lewis and Clark County Commissioners Public Meeting was held on Thursday, January 26, 2012, at 9 a.m. in Commission Chambers Room 330 of the City-County Building, 316 North Park Avenue, Helena, Montana.

Chairman Andy Hunthausen called the meeting to order at 9 a.m. Commissioners Mike Murray and Derek Brown were present. Others attending all or a portion of the meeting included Eric Bryson, K. Paul Stahl, Audra Zacherl, Laura Erikson, Nancy Everson, Cheryl Green, Rick Grady, Julie Flynn, Kellie McBride, and Rita Cortright, Recording Secretary.

Pledge of Allegiance. Everyone recited the Pledge.

Consent Action Items. (Eric Bryson)

- a. Resolution No. 2012-11 Authorizing Approval of a Loan from the Capital Development Fund to the Fairgrounds Fund of Lewis and Clark County. Loan in the amount of \$194,496.00 to finance the purchase of portable bleachers. (Nancy Everson)
- b. Resolution No. 2012-12 to Authorize Application for CDBG funds to the YWCA. (Laura Erikson)
- c. Resolution No. 2012-13 to Authorize Submission of Application and Agreement to Certifications for Application for Montana Department of Commerce HOME Investment Partnerships (HOME) Program. (Laura Erikson)

Eric Bryson reported on the consent action items and recommended approval.

Kelly McBride thanked the Commission for supporting the YWCA in its application for CDBG funds.

No other public comments were received.

Commissioner Murray moved approval of the consent action items and authorized the Chair to sign. Commissioner Brown seconded the motion. The motion carried 3-0.

Bid Opening for the Purchase of One (1) New or Used Rock Crusher Attachment.
(Audra Zacherl).

Audra Zacherl reported that one bid was received from King Kong Tools, LLC, Buford, Georgia. The bid has been signed and bid security has been included. The base bid amount is \$130,664.00. The machine has approximately 40 hours of use. The machine crushes rock in place rather than having to crush off-site and haul. Tractor and Equipment of Great Falls will stock replacement parts for this machine.

No public comment was received.

Commissioner Murray moved that staff take the bid under advisement and make a recommendation at public meeting on Tuesday, January 31. Commissioner Brown seconded the motion. The motion carried 3-0.

Grant Agreement No. RITP-12-0048 Between Lewis & Clark County and Montana Department of Natural Resources and Conservation for Commissioners' Garage Site Investigation Phase II in the Amount of \$50,000.00 (Laura Erikson)

Laura Erikson reported that the Phase I environmental assessment showed that there was potential contamination and soil contamination from the fueling operations that occurred there. The funds would be used to do a site investigation to determine whether underground storage tanks were removed or if they are still in place. The 1920's building was a Livery Stable to board horses and since about 1960 it has been used as a garage.

No public comment was received.

Commissioner Brown moved to approve the grant agreement. Commissioner Murray seconded the motion. The motion carried 3-0.

Discussion and Action on Certain Properties Located in Lewis and Clark County for Which 2007 Real Property Taxes are Delinquent for Three or More Taxable Years. (Cheryl Green) The properties are: Geo code 1888-27-3-07-04-0000, Owner-League Wide Inc.; Geo code 1887-36-1-14-25-0002, Owner-Eugene P. Meegan; and Geo code 1888-30-1-19-25-0000, Owner-Chicago, Milwaukee, St. Paul and Pacific Railroad LLC.

1. Helena Townsite Block 75, Lot 9 & 26, 1/3 interest, Owner: Eugene Meegan, Cheryl Green recommended that the county take tax deed to property listed as then donate it to the City of Helena because the city already owns two-thirds interest in this property. Commissioner Brown moved to take tax deed on the property. Commissioner Murray seconded the motion.

2. Lockey Addition, Block 25 Lot 10, Owner: Chicago, Milwaukee, St. Paul and Pacific Railroad. Cheryl Green recommended that the commission to not take tax deed to this piece of property. The owner has a Sign and Sight Easement on the property. Taxes are delinquent from 2007 in the amount of \$1,900. Deputy County Attorney Paul Stahl stated that the owner is supposed to pay the taxes and the easement holder does not have an obligation. Commissioner Brown moved to table this until next Tuesday so further research can be done. Commissioner Murray seconded the motion.

3. Parcel #1 is located in the SW¼ of Sec. 27, T10N, R3W per Certificate of Survey #201412, Owner: League Wide Inc. Cheryl Green reported that this property abuts the railroad tracks on Centennial Drive and is land-locked. If the county took tax deed, we would have no easement to the .44 acres. Commissioner Brown moved to take tax

deed on this parcel. Commissioner Murray seconded the motion.

Hearing no public comment, the motions carried 3-0.

The appropriate resolutions to complete the take tax deed process will be presented at the next public meeting.

Board Appointment. (Carole Byrnes) (tabled from 1/24/12)

Canyon Creek Rural Fire District Board of Trustees – Vacancy to May 2012 Election.

Trustee Douglas Wright has resigned from his position as trustee. A Petition for Appointment has been submitted by Robert Putsch to fill the vacancy until the May 2012 election. Richard Grady, Secretary for the Board of Trustees, stated they have been operating with a vacancy since October of 2010.

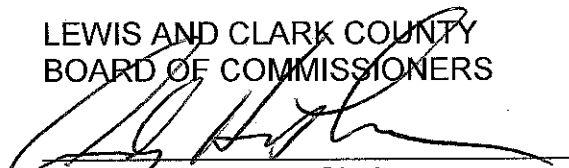
No public comment was received.

Commissioner Brown moved to approve the Petition to appoint Bob Putsch to fill the vacancy until the May 2012 election. Commissioner Murray seconded the motion. The motion carried 3-0.

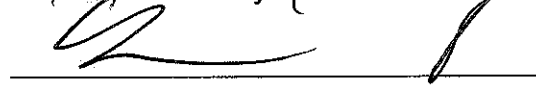
Public comment on any public matter within the jurisdiction of the Commission that is not on the agenda above. None.

There was no other business, the meeting adjourned at 9:36 a.m.

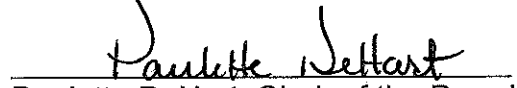
LEWIS AND CLARK COUNTY
BOARD OF COMMISSIONERS


Andy Hunthausen, Chairman


Michael A. Murray


Derek Brown

ATTEST:


Paulette DeHart, Clerk of the Board